

# REVISED LAWS OF MINNESOTA *94*

SUPPLEMENT 1909

CONTAINING

THE AMENDMENTS TO THE REVISED LAWS,  
AND OTHER LAWS OF A GENERAL AND  
PERMANENT NATURE, ENACTED  
BY THE LEGISLATURE IN  
1905, 1907, AND 1909

WITH HISTORICAL AND EXPLANATORY NOTES TO PRIOR STATUTES  
AND FULL AND COMPLETE NOTES OF ALL  
APPLICABLE DECISIONS

COMPILED AND ANNOTATED BY  
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posed of or invested as the court shall specially direct. Before a mortgage sale, or lease can be made pursuant to the final order, the trustee must enter into an agreement therefor, subject to the approval of the court and must report the agreement to the court under oath. Upon the confirmation thereof, by order of the court he must execute as directed by the court a mortgage, deed or lease. A mortgage, deed or lease made pursuant to a final order granted as provided in this and the last two preceding sections shall be valid and effectual against all minors, lunatics, persons of unsound mind, habitual drunkards and persons not in being interested in the trust or having estates vested or contingent in reversion or remainder in said real property and against all other persons so interested or having such estates who shall consent to such order, or who having been made parties to such proceeding as herein provided, shall not appear therein and object to the granting of such order. All parties in interest may appear voluntarily and consent in writing to such sale, mortgaging or leasing of such real property; and testamentary guardians and guardians appointed by the probate court, may assent thereto in the place of their wards. A person who shall actually and in good faith pay a sum of money to a trustee, which the trustee is authorized to receive, shall not be responsible for the proper application of the money, according to the trust; and any right or title derived by him from the trustee in consideration of the payment shall not be impeached or called in question in consequence of a misapplication by the trustee of the money paid. (G. S. 1878, c. 43, § 21, as amended by Laws 1905, c. 339, § 1.)

**Historical.**—"An act to amend section twenty-one of chapter forty-three of the General Statutes of one thousand eight hundred and seventy-eight, being section four thousand two hundred and ninety-four of the General Statutes of 1894, relating to uses and trusts." Approved April 19, 1905.

Said section 21 was section 21 of G. S. 1866, c. 43, which was repealed by R. L. § 5518; its provisions being incorporated in section 3259. So far as the amended section above set forth differs from said section 3259, it is to be construed, by virtue of section 5504, as amendatory or supplementary.

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## CHAPTER 61.

### POWERS.

#### 3267. Power defined.

Cited in *Rogers v. Clark Iron Co.*, 104 Minn. 198, 116 N. W. 739.

#### 3272. Power is beneficial, when.

Cited in *Rogers v. Clark Iron Co.*, 104 Minn. 198, 116 N. W. 739.

#### 3281. Power of tenant for life to make leases.

Cited in *Rogers v. Clark Iron Co.*, 104 Minn. 198, 116 N. W. 739.

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## [CHAPTER 61A.]

### [OFFICIAL TRUSTS.]

[3326—]1. **Corporate authorities or judge to convey lands.**—That when the corporate authorities of any town or the judge of the district court for any county wherein such town is situated enter, at the proper land office, the land or any part thereof, settled and occupied as the site of such town, pursuant to an act of congress, entitled, "An act for the relief of the citizens of towns upon lands of the United States under certain circumstances," passed May 23,